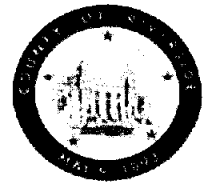


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Supervisor John Tavaglione

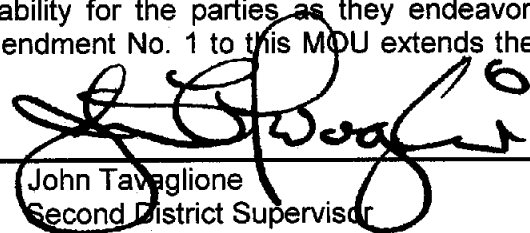
**SUBMITTAL DATE:
August 16, 2011**

SUBJECT: Amendment No. 1 to the Memorandum of Understanding between Riverside, Orange, and San Bernardino Counties, the Santa Ana River Watershed Project Authority and the Wildlands Conservancy for coordinated parkway planning among counties along the Santa Ana River Corridor.

RECOMMENDED MOTION: That the Board of Supervisors approves and:

1. Authorizes Amendment No. 1 to the Memorandum of Understanding (MOU) for coordinated parkway planning among counties along the Santa Ana River Corridor;
2. Authorizes the Riverside County Regional Park and Open-Space District (District) General Manager, or designee, to execute future ministerial amendments to this MOU; and
3. Directs the Clerk of the Board to return six (6) copies of the Amendment to the District for transmittal and file.

BACKGROUND: The purpose of the original MOU is to establish a mechanism to facilitate planning, project implementation, and reporting and accountability for the parties as they endeavor to create a recreation parkway along the Santa Ana River. Amendment No. 1 to this MOU extends the term of this agreement for an additional three (3) years.



John Tavaglione
Second District Supervisor

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$	In Current Year Budget: Budget Adjustment: For Fiscal Year:
	Current F.Y. Net County Cost:	\$	
	Annual Net County Cost:	\$	

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

County Executive Office Signature

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | **District:** | **Agenda Number:** 3.3

1 **Amendment No. 1 to**
2 **Memorandum of Understanding**
3 **Coordinated Parkway Planning**
4 **Among Counties along the**
5 **Santa Ana River Corridor**
6

7 This Amendment No. 1 to Memorandum of Understanding (hereinafter "Amendment No.
8 1") is entered into as of _____, 2011,

9 **BY AND AMONGST**

10 **AND**

The County of Orange, a political subdivision of the State of California, hereinafter referred to as "ORANGE"

11 **AND**

The County of Riverside, a subdivision of the State of California, herein referred to as "RIVERSIDE";

12 **AND**

The County of San Bernardino, a subdivision of the State of California, herein referred to as "SAN BERNARDINO";

13 **AND**

The Santa Ana Watershed Project Authority, a recognized regional agency that has significant responsibility for the management of the Santa Ana River throughout the watershed, herein referred to as "SAWPA";

14 **AND**

The Wildlands Conservancy, a private non-profit group that has been instrumental in the development of the Parkway to date and is uniquely positioned and capable of fostering good stewardship throughout the basin, herein referred to as "WILDLANDS";

15 ORANGE, RIVERSIDE, SAN BERNARDINO, SAWPA and WILDLANDS hereafter are collectively
16 referred to as the "PARTIES" and individually as a "PARTY"

17 **RECITALS**

18 **WHEREAS**, certain lands within the counties of Orange, Riverside and San Bernardino
19 form an expansive watershed which leads from the San Bernardino Mountains to the Pacific
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1 Ocean along a river course known as the Santa Ana River;

2 **WHEREAS**, the Santa Ana River is a 110-mile-long river that serves the diverse needs of
3 the three counties and adjacent cities including flood control, water conservation, habitat
4 protection, education and recreation ;

5 **WHEREAS**, Orange, Riverside and San Bernardino Counties, along with several cities,
6 have separately adopted recreational plans, that include trails;

7 **WHEREAS**, these regional and local plans identify the Santa Ana River as an important
8 recreational corridor, and the PARTIES have identified the need to coordinate these activities
9 along the river to ensure consistency, facilitate planning, and share resources;

10 **WHEREAS**, on March 12, 1976, then Secretary of Interior Thomas Kleppe deemed
11 portions of the trail in Orange County and San Bernardino County as the Santa Ana River
12 National Recreational Trail #80 and #100, respectively, establishing for the first time, a national
13 trail along the Santa Ana River;

14 **WHEREAS**, on June 27, 2006, a Memorandum of Understanding (hereinafter
15 "AGREEMENT") was executed to establish a mechanism to facilitate planning, project
16 implementation, and reporting and accountability for the PARTIES as they endeavor to create a
17 recreational parkway along the Santa Ana River for a period of five years from the date of the
18 last signature signed on January 8, 2007; and

19 **WHEREAS**, it is necessary to extend the AGREEMENT for three (3) years to provide
20 additional time for the PARTIES to complete a recreational parkway along the Santa Ana River.

21 **NOW, THEREFORE, IT IS AGREED** by and between PARTIES to amend AGREEMENT
22 as follows:

- 23 1. Section 3 is deleted in its entirety.

1 2. Section 6 is deleted and replaced with:

2
3 "The term of the AGREEMENT shall be eight (8) years from the date of the last
4 signature in time below unless otherwise terminated pursuant to Section 1 g. or by
5 mutual consent of all of the PARTIES to this AGREEMENT. All PARTIES have the
6 right to withdraw from this AGREEMENT. If so, the PARTY that wishes to withdraw
7 must give 120 days notice to the remaining PARTIES. In the event of a PARTY's
8 withdrawal, this AGREEMENT must be amended to reflect the change in
9 membership."

10
11 3. Except as expressly set forth in this AMENDMENT No. 1, all other terms and
12 conditions of the AGREEMENT shall remain unchanged and in full force and effect.

13 //

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19 //

IN WITNESS WHEREOF, each party hereto has executed this Amendment No. 1 to AGREEMENT by a duly authorized representative as of the date set forth above.

Santa Ana Watershed Project Authority, a Special District

Date: _____

By _____
Terry Catlin, Chairman, of the Commission of the Santa Ana Watershed Project Authority, Riverside, California

By: _____

Date: _____

Clerk of the Commission
SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE COMMISSION

APPROVED AS TO FORM
RIVERSIDE, California

By: _____
Attorney

Clerk of the Commission
Clerk of the Commission
Riverside, California

1 **IN WITNESS WHEREOF**, each party hereto has executed this Amendment No. 1 to
2 AGREEMENT by a duly authorized representative as of the date set forth above.

3
4 **COUNTY OF RIVERSIDE, a subdivision of the**
5 **State of California**

6 Date: _____

7 By _____
8 Bob Buster, Chairman of the Board of Supervisors of
9 Riverside County, California

10 By: _____

11 Clerk of the Board
12 SIGNED AND CERTIFIED THAT A COPY OF
13 THIS DOCUMENT HAS BEEN DELIVERED TO
14 THE CHAIRMAN OF THE BOARD

15 _____
16 Kecia Harper-Ihem, Clerk of the Board
17 Clerk of the Board of Supervisors
18 Of Riverside County, California

19 Date: _____

20 APPROVED AS TO FORM
21 Office of the County Counsel
22 RIVERSIDE County, California

23 By: 
24 Deputy

1 **IN WITNESS WHEREOF**, each party hereto has executed this Amendment No. 1 to
2 AGREEMENT by a duly authorized representative as of the date set forth above.

3
4 **COUNTY OF SAN BERNARDINO, a subdivision of**
5 **the State of California**

6 Date: _____

7 By _____
8 Josie Gonzales, Chair, of the Board of Supervisors
9 of San Bernardino County, California

10 By: _____

Date: _____

11 Clerk of the Board
12 SIGNED AND CERTIFIED THAT A COPY OF
13 THIS DOCUMENT HAS BEEN DELIVERED TO
14 THE CHAIRMAN OF THE BOARD

APPROVED AS TO FORM
Office of the County Counsel
SAN BERNARDINO County, California

15 By: _____
16 Deputy

17 _____
18 Laura H. Welch, Clerk of the Board
19 Clerk of the Board of Supervisors
20 Of San Bernardino County, California

IN WITNESS WHEREOF, each party hereto has executed this Amendment No. 1 to AGREEMENT by a duly authorized representative as of the date set forth above.

WILDLANDS CONSERVANCY, a private non-profit organization

Date: _____

By _____
David Myers
Executive Director, Wildlands Conservancy
Oak Glen, California

By: _____

Date: _____

Clerk of the Board
SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE GENERAL MANAGER

APPROVED AS TO FORM
SAN BERNARDINO, California

Clerk of the Board
Of Wildlands Conservancy
San Bernardino, California

By: _____
Attorney

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IN WITNESS WHEREOF, each party hereto has executed this Amendment No. 1 to AGREEMENT by a duly authorized representative as of the date set forth above.

COUNTY OF ORANGE, a political subdivision of the State of California

Date: _____

By _____
Jess A. Carabajal Director, OC Public Works
Orange County, CA

Date: _____

APPROVED AS TO FORM
Office of the County Counsel
ORANGE COUNTY, California

By: _____
Deputy